

REMARKS

Claims 17-47 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nilsson (U.S. Pat. No. 3,643,521) in view of Yabe et al. (U.S. Patent No. 6,004,039 [hereinafter “Yabe”]). Applicant previously made a statement that Yabe is not prior art since NSK, Ltd. owned both Yabe and the present application at the time the former invention was made. However, the Examiner requests that the statement read that Yabe is not prior art since NSK, Ltd. owned both Yabe and the present application at the time “the invention was made.” (See section 4 of the Office Action.) To address the Examiner’s concern, Applicant resubmits the following statement to establish common ownership, in accordance with MPEP §706.02(I)(2).

The present application is a divisional application of Serial No. 09/985,400 filed November 2, 2001 (now U.S. Pat. No. 6,752,245), which is a divisional application of Serial No. 08/877,518 filed June 17, 1997 (now U.S. Pat. No. 6,338,285). Pursuant to §4807 of the new American Inventors Protection Act of 1999, subject matter which was prior art under former 35 U.S.C. §103(c) via 35 U.S.C. §102(e) is now disqualified as prior art against a claimed invention if that subject matter and the claimed invention “were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.” The change to 35 U.S.C. §103(c) applies to any patent application filed on or after the date of enactment of November 29, 1999.

The present application was filed on January 26, 2004, which is subsequent to November 29, 1999. Accordingly, Yabe is not prior art since NSK, Ltd. owned both Yabe (the applied reference) and the application at the time the invention was made.

Response Under 37 C.F.R. § 1.116
U.S. Application No. 10/763,186

Attorney Docket No. Q79580

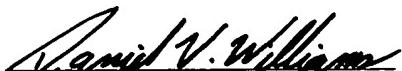
Claims 17-47 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nilsson (U.S. Pat. No. 3,643,521) in view of JP 9-14452. JP 9-14452 was published on January 14, 1997. The present application has an effective filing date of June 17, 1997, based on U.S. Application No. 08/877,518, now U.S. Pat. No. 6,338,285. Applicant hereby perfects priority to render the rejection moot by submitting verified translations of the application's priority documents, including: JP 8-155545 filed on June 17, 1996, JP 8-155546 filed on June 17, 1996 and JP 8-189148 filed on July 18, 1996.

The Examiner is respectfully requested to remove the 35 U.S.C. §103(a) rejections of record, and indicate that all of the pending claims are allowed in the next Patent Office paper.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Daniel V. Williams
Registration No. 45,221

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

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